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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/532,519	04/25/2005	Robert Seeman	5035-206US/P29791USA	6033
20802	7590	04/10/2008	EXAMINER	
SYNNESTVEDT LECHNER & WOODBRIDGE LLP			GOODCHILD, WILLIAM J	
P O BOX 592				
112 NASSAU STREET			ART UNIT	PAPER NUMBER
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/532,519	SEEMAN, ROBERT	
	<b>Examiner</b>	<b>Art Unit</b>	
	WILLIAM J. GOODCHILD	2145	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 25 April 2005.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-20 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-20 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 25 April 2005 is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
     1. Certified copies of the priority documents have been received.  
     2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
     3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | Paper No(s)/Mail Date. _____ .                                    |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>04/25/2005</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application |
|   | 6) <input type="checkbox"/> Other: _____ .                        |

## **DETAILED ACTION**

### ***Claim Objections***

1. Claims 1-20 are objected to because of the following informalities.

Claim 1, line 3, the phrase “a web page” has been defined in claim 1, line 1, it is suggested to change the phrase to –the web page--, in order to improve the clarity of the claim language.

Claim 1, line 1, the phrase “the URL” has not been defined in the claim. It is suggested to change the phrase to –a URL--, as this limitation has not been previously recited in the claim.

Claim 1, line 9, the phrase “a TLD” has been defined in claim 1, line 1-2, it is suggested to change the phrase to –the TLD--, if this is the same TLD, or clarify if this is referring to a different TLD, in order to improve the clarity of the claim language.

Claim 1, line 9, the phrase “the set” has not been defined in the claim. It is suggested to change the phrase to –a set--, as this limitation has not been previously recited in the claim.

Claim 10, line 2, the phrase “the list of registered names” has not been defined in the claim. It is suggested to change the phrase to –a list of registered names--, as this limitation has not been previously recited in the claim.

Claim 10, line 3, the phrase “the unique identification number (IP)” has not been defined in the claim. It is suggested to change the phrase to –a unique identification number (IP)--, as this limitation has not been previously recited in the claim.

Similar errors can be found in claims 11-20.

Any claim not specifically addressed above, is being objected to as incorporating the deficiencies of a claim upon which it depends.

Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Regarding claims 1 and 11, the phrase "if **it** does not exist" renders the claim indefinite because it is unclear what '**it**' is referring to. However, the examiner will review the claims as if '**it**' is referring to a web page relating to a URL that the user typed in.

Regarding claims 1 and 11, the phrase "a web page that exists for **that TLD**" renders the claim indefinite because it is unclear what '**that TLD**' is referring to. However, the examiner will review the claims as if '**that TLD**' is referring to a given TLD that an end-user has entered into the browser URL line.

4. Claims 1-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1 and 11 refer to an erroneous entry, claims 2 and 12 refer to an erroneous entry being an accident. Erroneous entry's and accidents do not show the invention, but merely point out a typographical error.

Claims 4 and 14 refer to a web site specifically related to the meaning of the URL, relating a meaning to a web site does not show the invention, but merely points out an interpretation.

### ***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-2, 4-5, 9, 11-12, 14-15 and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by Berstis et al., (US Patent No. 6,092,100), (hereinafter Berstis).

Regarding claims 1 and 11, Berstis discloses determining whether the URL defines a web page that exists for that TLD [figure 4, item 52 and column 5, lines 50-60]; if it does not exist, then providing for a domain name server to automatically direct the browser to at least one web site and not provide an error message [figure 4, items 55, 58, 60, figure 5 and column 5, line 61 – column 6, line 16]; characterized in that the TLD has been erroneously entered by the end-user as a ccTLD instead of a TLD selected from the set of .com and .net TLDs [column 5, lines 50-60].

Regarding claims 2 and 12, Berstis discloses the erroneous entry involves only one letter being accidentally omitted [column 4, lines 63-65].

Regarding claims 4 and 14, Berstis discloses the web site is specifically related to the meaning of the URL [column 2, lines 51-58].

Regarding claims 5 and 15, Berstis discloses the web site is a general web search site or portal [column 2, lines 51-58].

Regarding claims 9 and 19, Berstis discloses the URL comprises a generic term [column 4, lines 56-60].

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 3 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berstis as applied to claims 2 and 11 above, and further in view of Robinson et al., "Relationship of Telex Answerback Codes to Internet Domains", RFC 1394, January 1993, (hereinafter Robinson).

Regarding claims 3 and 13, Berstis does not specifically disclose in which the ccTLD is selected from the set ".cm", ".om", ".co", ".ne" and ".et".

However, Robinson discloses the Internet Domains country codes in a set [Robinson, pages 2-7, Cameroon – cm, Oman – om, Columbia – co, Niger Rep – ne and Ethiopia - et].

9. Claims 6 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berstis as applied to claims 1 and 11 above, and further in view of Hitson et al., (US Publication No. 2002/0010759), (hereinafter Hitson). It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the list of country codes in order to create a set of country codes.

Regarding claims 6 and 16, Berstis does not specifically disclose in which the web site is one of several potential web sites the browser could be directed to, with the actual web-site selected depending on the geographic location of the end-user.

However, Hitson discloses advertisements may be selected based upon geographic location [Hitson, paragraph 14]. It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate geographic location in order to target end users with relevant location information.

10. Claims 7-8 and 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berstis as applied to claims 1 and 11 above, and further in view of Hansen et al., (US Publication No. 2002/0038456), (hereinafter Hansen).

Regarding claims 7 and 17, Berstis does not specifically disclose in which a database record is maintained of the traffic brought to the web site to enable traffic based revenue to be calculated. However, Hansen discloses a usage database to indicate measurements of when content is shown for revenue generation. It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate revenue generation measurements and calculations in order to maintain records of traffic.

Regarding claims 8 and 18, Berstis-Hansen further discloses a database record is maintained of the click-through traffic from the web site to enable click-through based revenue to be calculated [Hansen, paragraph 91].

11. Claims 10 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berstis as applied to claims 1 and 11 above, and further in view of TLD Sponsorship Agreement: Attachment 13 (.museum), October 16, 2001, (hereinafter ICANN).

Regarding claims 10 and 20, Berstis discloses to direct that if the requested domain name is not found in the list of registered names in the DNS zone file, then the unique identification number (IP) of a computer hosting the web site is returned to the end-user's computer [Berstis, figure 4, items 55, 58, 60, figure 5 and column 5, line 61 – column 6, line 16].

Berstis does not specifically disclose a computer instruction is added to a DNS zone file. However, ICANN, in the same field of endeavor, discloses A DNS wildcard A record will be placed at the end of the .museum zone file. It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate a wildcard DNS entry in the zone file in order to catch mistyped entries.

***Conclusion***

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to WILLIAM J. GOODCHILD whose telephone number is (571)270-1589. The examiner can normally be reached on Monday - Friday / 8:00 AM - 4:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Cardone can be reached on (571) 272-3933. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

WJG  
04/01/2008

/Jason D Cardone/  
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